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S. C. A.

November 20, 1984

MEMORANDUM

TO: Philip Morris/Barclay Files
FROM: Hadrian R. Katz
RE: November 20, 1984 Meeting With Judy Wilkenfeld

*Baird -
FTC
Judy*

F

I met with Wilkenfeld and with Sue Cohn, her latest assistant, on Tuesday afternoon to show her the proposed operating instructions for the modified cigarette holder. She thought that they were useful, and will put a copy on the public record. A copy of the instructions as given to Wilkenfeld is attached.

With respect to the variability issue, Wilkenfeld said that there has been considerable inconsistency among laboratories testing Barclay on the proposed modified holder. After a while, she explained that what concerned her was not the existence of a high degree of random error -- she expected that, given the inconsistency of Barclay -- but the fact that certain operators in some laboratory had consistently obtained a low delivery for Barclay, so low as to raise a question as to why the FTC was concerned about Barclay in the first place. She hinted that there was some laboratory that had consistently obtained 2 mg. deliveries for Barclay. I asked her whether the problem appeared to be reproducible, and she suggested that they had been afraid

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to try repeating the experiment. She added that she had witnessed the bad results, and that may account in part for her personal concern about the matter.

I told Wilkenfeld that operator error certainly seemed the likeliest explanation, and noted the one difficulty that we had experienced at a very early stage when operators continued to mark the cigarettes before learning the appropriate technique with the modified holder. Wilkenfeld said that no marking had taken place at the testing in question, but that she was reasonably satisfied that some sort of operator error had taken place. I told Wilkenfeld that our scientific personnel were of course prepared to assist in any way that the Commission thought might be useful, but my impression was that Wilkenfeld is almost prepared to write off the incident as inconsequential. I would feel better about the matter if the pertinent operator learned how to use the apparatus, and repeated the test without any problem. But Wilkenfeld, in what may not be the best scientific tradition, appears to prefer to try to forget the matter.

Wilkenfeld also passed along details of Brown & Williamson's most recent Barclay patent. It discloses a Barclay-type filter with an additional impenetrable disk insert in the center of the mouth-end of the filter. Both air in the impenetrable grooves and smoke exit the filter around the periphery of the disk. The point of the filter is that when

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the cigarette is inserted in the proposed modified holder, no smoke whatever will be emitted.

Attachment

cc: G. Carlton Adkins, Esq., w/attach.
Mr. Warren E. Claflin, w/attach.

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